

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NICHOLAS SAMPSON,

Plaintiff,

v.

DAVID W. KOFOED, in his official and
individual capacities

Defendant,

v.

ST. PAUL FIRE AND MARINE INSURANCE
COMPANY, also known as THE SAINT
PAUL TRAVELERS COMPANIES, INC.,

Garnishee.

MATTHEW LIVERS,

Plaintiff,

v.

DAVID W. KOFOED, in his official and
individual capacities

Defendant,

v.

ST. PAUL FIRE AND MARINE INSURANCE
COMPANY, also known as THE SAINT
PAUL TRAVELERS COMPANIES, INC.,

Garnishee.

8:07CV155

FINAL ORDER OF GARNISHMENT

8:08CV107

FINAL ORDER OF GARNISHMENT

This matter is before the Court on the plaintiffs' calculations of each plaintiff's pro-rata share of the garnishee liability of St. Paul Fire and Marine Company a/k/a/ The Saint Paul Travelers Companies, Inc. ("St. Paul" or "garnishee"), Filing No. 854 in *Sampson v. Schenk*, No. 8:07cv155 ("*Sampson*") and Filing No. 802 in *Livers v. Schenk*, No. 8:08cv107 ("*Livers*"). There has been no response to the motion.

The plaintiffs have unsatisfied judgments against David Kofoed (*Sampson*, Filing No. 783; *Livers*, Filing No. 727). The matter has been heard on plaintiffs' motions for money judgments and orders of garnishment (*Sampson*, Filing No. 838; *Livers*, Filing No. 789). The Court has determined that garnishee St. Paul is in possession of property of the judgment debtor in that a St. Paul policy provides coverage for Kofoed's acts (*Sampson*, Filing No. 853; *Livers*, Filing No. 801).

Pursuant to the Memorandum and Order dated November 30, 2016, Filing No. 853 in *Sampson* and Filing No. 801 in *Livers*,

IT IS ORDERED that garnishee St. Paul Fire and Marine Insurance Company, also known as The Saint Paul Travelers Companies, Inc., shall pay into the court the sum of \$5,000,000.00 to be paid to the plaintiffs as follows: \$1,643,500.00 to plaintiff Nicholas Sampson and \$3,356,500.00 to plaintiff Matthew Livers.

DATED this 30th day of December, 2016.

BY THE COURT:

s/Joseph F. Bataillon
Senior United States District Judge